

Montana Transportation Commission

June 29, 2006 meeting ~ 8:30 am

Red Lodge Pizza Company

115 S Broadway Avenue ~ Red Lodge, Montana

In attendance:

Bill Kennedy, Transportation Commission Chair
Nancy Espy, Transportation Commission Vice Chair
Kevin Howlett, Transportation Commissioner
Rick Griffith, Transportation Commissioner
Jim Lynch, Director –Montana Department of Transportation (MDT)
Jim Currie, MDT Deputy Director
Tim Reardon, MDT Chief Counsel
Loran Frazier, MDT Chief Engineer
Jan Brown, FHWA Division Administrator
Mike Duman, Assistant FHWA Division Administrator
Lori Ryan, MDT Public Information Specialist

Please note: the complete recorded minutes are available for review on the commission's website at http://www.mdt.mt.gov/pubinvolve/trans_comm/meetings.shtml. You may request a compact disc (containing the audio files, agenda, and minutes) from the transportation secretary at (406) 444-7200 or ldemont@mt.gov. Alternative accessible formats of this document will be provided upon request. For additional information, please call (406) 444-7200. The TTY number is (406) 444-7696 or 1-800-335-7592.

Chairman Kennedy called the meeting to order at 8:35am. The pledge of allegiance was followed by a welcome from the commission chairman and an opportunity for everyone in the room to introduce themselves. Commissioner Howlett offered an invocation.

Special recognition

Agenda item 1: Approve minutes

- a. April 5, 2006 teleconference
- b. April 10, 2006 teleconference
- c. April 13, 2006 meeting
- d. May 4, 2006 teleconference
- e. May 8, 2006 teleconference
- f. May 25, 2006 meeting
- g. June 5, 2006 teleconference

Commissioner Griffith moved to accept staff recommendations to approve the minutes as presented for April 5, 10, and 13 and May 4, 8, 25, and June 5, 2006; Commissioner Espy seconded the motion. All four commissioners voted aye.

Agenda item2: CTEP projects on MDT right-of-way

- a. *Sidewalks- Columbus*
- b. *River Trail System-Deer Lodge*

Commissioner Espy moved to accept staff recommendations to approve the addition of two CTEP projects, namely *Sidewalks- Columbus* and *River Trail System-Deer Lodge*, to the program; Commissioner Griffith seconded the motion. All four commissioners voted aye.

Agenda item 3: US 93 access control exception committee – roles and responsibilities

Frazier said this item was brought up at the May meeting. Commissioner Howlett asked us to go back and visit with the tribal council. We have done that, and the council approved the slightly revised policy. We have an e-mail from Joe Hovenkotter. June 15

Commissioner Howlett moved to accept staff recommendations to approve the roles and responsibilities of the US Access Control Exceptions Committee, including the appeals process outlined in the document presented; Commissioner Espy seconded the motion. All four commissioners voted aye.

Agenda item 4: Speed limit

Mt 39 – Colstrip North (Rosebud County)

Frazier said the department's recommendation is A 55 mph speed limit beginning at station 120+00, project CT 39-1(11) (1,000 feet north of the intersection with Power Road) and continuing north to station 209+00 (250 feet north of the intersection with Pine Butte Road), an approximate distance of 1.7 miles.

Commissioner Espy moved to accept staff recommendations to approve the 55 mph speed limit for Colstrip North; Commissioner Griffith seconded the motion. The motion passed unanimously.

US 12 - MacDonald Pass (Lewis & Clark County)

Frazier said this was requested by a former district administrator because of accident rates.

The recommendation is for a 60 mph speed limit beginning at station 252+00, project FH 28-1(3), (just east of the Powell County – Lewis & Clark County Line) and continuing east to station 476+00, project RF-FH 249(27), an approximate distance of 4.24 miles.

Howlett asked if this 60 mph zone would abut the 55 mph limit the commission set in recent years. Frazier said it's separated by about five miles. 45 mph 55 mph 70 mph 60 mph through the windy part of the pas to the top, then back to 70 mph. Howlett asked if we only looked at the east side of the pass or if. Frazier said we looked at about a mile on either side

of the area we'd been requested to look at. Lynch clarified that this action is wholly within L&C County. Reardon pointed to the accident rates listed in the report on page 2.

Commissioner Griffith moved to accept staff recommendations to approve the 60 mph limit on MacDonald Pass; Commissioner Espy seconded the motion. The motion passed unanimously.

MT 38 – Skalkaho Road

Frazier said we are proposing a 35 mph from US 93 through the developed area of Hamilton, with a 60 mph through the end of the pavement (14.2 miles).

The report states the department's recommendation is 35 mph speed limit beginning at the intersection with US 93 and continuing south to straight-line diagram station 13+00, an approximate distance of 1,300 feet. Then, a 60 mph speed limit beginning at straight-line diagram station 13+00 and continuing south and then east to the end of the Departments maintenance jurisdiction at milepost 14.5, an approximate distance of 14.2 miles.

Commissioner Howlett moved to accept staff recommendations to approve the recommendation as presented; Commissioner Espy seconded the motion. The motion passed unanimously.

Agenda item 5: Adoption Notice for Outdoor Advertising Rules

Reardon said we had a lengthy discussion at the last (May 25, 2006) meeting regarding proposed new rules and amendments to existing rules. I have an adoption notice

Reardon said I have one recommended change to the commission. He distributed copies of the notice of adoption and amendment. I'm asking you to go back to the original definition. The proposed revision you approved last time would actually have allowed the electronic billboards.

18.6.202 heading

(2) "Commercial electronic variable message signs"

Commissioner Griffith moved to accept staff recommendations to adopt the proposed change to the administrative rule and revert to the original language; Commissioner Espy seconded the motion. The motion passed unanimously.

Reardon said I'm

Commissioner Howlett moved to accept staff recommendations to approve and sign the adoption notice for the outdoor advertising administrative rules approved at the May 25,

2006 commission meeting; Commissioner Griffith seconded the motion. The motion passed unanimously.

Kennedy asked for clarification about the Metra Park sign for the record. Lynch said Metra Park is an on-premise sign. These rules apply only to off-premise signs.

Agenda item 6: Amended access control resolution

Frazier said we are bringing this to you at the request of a landowner. We have reviewed the additional approach and don't believe it would interfere with the safety of Haynes Avenue in Miles City.

Espy asked if we had concurrence from the city council. Frazier wasn't sure.

Commissioner Espy moved to accept staff recommendations to approve the amended access control resolution for Main St/Haynes Ave in Miles City; Commissioner Howlett seconded the motion. The motion passed unanimously.

Agenda item 9: Letting lists

Frazier referred to the letting lists he had distributed earlier for June, July, August, and Sept of 2006.

Lynch said we moved Bowman's Corner back in. Currie said we rejected all bids on the Fox Farm sidewalk and that has been moved to the July letting.

Commissioner Howlett moved to accept staff recommendations to approve the letting lists presented for June, July, August, and Sept of 2006; Commissioner Espy seconded the motion. The motion passed unanimously (Howlett, Kennedy and Espy).

Agenda item 10: Certificates of completion

Frazier noted that we had a project where we had a request to do some work that actually saved some money – a value engineering proposal on *Battlefield-East*. We like to see a final payment amount slightly higher than the original contract amount because of the incentives built into the contracts.

Commissioner Espy moved to accept staff recommendations to approve the certificates of completion for April and May 2006; Commissioner Griffith seconded the motion. The motion passed unanimously.

Agenda item 11: project change orders

Frazier said we have a few large ones brewing, between Missoula and Frenchtown and the interstate. A project Oswego, we have increased project costs going into the third seasons. One of the main reasons for the project being moved out was permits came in late which pushed us into an additional season.

Highway 93 for 113,000 because we ran into more unstable material. Extensive survey on that. One of those things that happened because it was wetter this year than when we did the survey.

Dillon has to go back and reconstruct an approach to allow for truck turning.

141,000 change order for Columbus to allow for a ditch liner...wound up using more liner than shown in the plans..Irrigation ditches.

May 2006

Savings of 141,000 medicine tree – Red Horn road...able to modify quantities...special borrow.

Us 287 passing lanes – s of Toston

108,000 change order to full width sub excavation that we weren't anticipating.

Commissioner Griffith moved to accept staff recommendations to approve project change orders for April and May 2006 in the amount of \$784,056.23; Commissioner Espy seconded the motion. The motion passed unanimously.

Agenda item 12: Commission discussion

Lynch said we will take part of the commission meeting up on the Beartooth to see the repairs. It could not have happened had we not had the support and cooperation of the communities of Red Lodge and Cooke City, Federal Highways, ----. Lynch recognized the communities for their involvement in the process and thanked them on behalf of the Department of Transportation. Kennedy said I received a letter from the Cooke city chamber and gave it to director lynch and he will get them a response.

Lynch said I'm very impressed with the workmanship on the repair project, and how it held up over the winter. He commended the maintenance crews for getting the road open ahead of schedule. Lynch thanked the transportation commission for trusting them.

Outdoor advertising

Lynch has maps that show the state systems in different communities that will be subject to the outdoor advertising rules.

Increased costs over engineers estimate

Increased prices of fuel and steel are causing difficulties in establishing accurate engineer's estimates. Because of that we've seen an increase in construction costs. No fault to the

engineers. We are assigning bids very carefully and justifying bids where possible. We have seen bids as high as 80 percent over the engineers' estimate. We know how important these projects are to communities. Want to assure the commission we are doing everything we can not to delay projects.

Kennedy asked if we still have \$54 million in projects that have been delayed. Lynch said about \$50 million. We will keep the commission posted on a monthly basis. Howlett said he appreciate the continued diligence in looking at some of these factors beyond our control. When we talk about moving projects because of increased costs. Howlett said when we do that, we need to go back to basics, and look at accident rates and safety, and prioritize the projects accordingly. We need to concentrate our resources on the greatest threats to the traveling public. Having said that, it's going to be difficult as we move into this next planning cycle, to look at delaying projects that are important to communities but don't meet that threshold of the greatest threat to the traveling public.

Frazier said prices in January compared to current prices are seeing about 20-25 percent inflation/increase. Lynch said we are not alone. All the states are struggling with this right now.

Belated introductions

Special announcement

Brown acknowledged the 50th anniversary of the interstate system. One of the largest public works projects in the nation. Distributed pens and a presentation in honor of the event. The interstate system has democratized mobility for the American public. Highway act of 1956 authorized completion of the entire system and established the highway trust fund. Increased the federal share to 90 percent from 50 percent. National commitment to complete the system. Not to say there weren't bumps in the roads. First estimate was 27 billion. 41 billion. Allegations of mismanagement resulted in special investigative committees. Tremendous impact on mobility, safety and the economy.

Duman said the interstate forms only 2 percent of the road miles in Montana. Brown said the interstate system carries about one quarter of the traffic.

Kennedy recognized Lewis and Clark and the upcoming festivities at Pompeys Pillar July 22-25, 2006. MDT has helped fund CTEP projects there.

Lynch said we have about 71,000 miles of road....

Last may was not a good month for fatalities. 22? Some are undecided, but confirmed alcohol involvement in only three, which is a significant improvement. Only 4 of the 22 were buckled. Three were bicycle or motorcycle. We are losing a lot of people on our highways because they don't buckle up. It's a very simple thing we can do to prevent traffic fatalities, and it hits me in the face every time I look at the numbers. Last year 152 unbuckled. Estimate that 114? of those would be walking today with minor or no injuries

had they buckled up. I make this point every opportunity I get. Seat belts need to be worn every time you travel, not just on the interstate.

Espy congratulated federal highways on their 50th anniversary. We have enjoyed and benefited from this accomplishment. We thank you from the bottom of our hearts. MDT and federal highways work very well together.

Agenda item 8: Shiloh Road

John Ostlund, Yellowstone county commission, offered a letter signed by he and Tina Volek, city of Billings, asking that the commission look to providing maintenance on Shiloh road through the Montana department of transportation. Lynch said I'd like to take this back and give you an answer to this request after we've had a chance to look at it and consider the issues.

Griffith asked about the uniqueness of Shiloh road. Ostlund said it's connected to the Shiloh road overpass and zoo drive on the south end, and Zimmerman trail on the north end. Environmental assessment. Multijurisdictional issue including city, county and state. Opportunity to work together to resolve the maintenance issues prior to construction.

Currie said we've talked about the maintenance of this road in the past. Right-of-way question. Councilman shutz vietz spoke as the city's Shiloh road designated representative. Not advantageous to us to do the maintenance since the transportation commission will be the ones to control access. We are committed to getting Shiloh road done as quickly as possible so all options are on the table. Very difficult for us to commit funds for a road we don't own or have control over. Desirous of having a maintenance agreement in place before the construction.

Lynch said it's obvious that there is a lot of dialog yet to occur between the various entities before a decision can be made.

Howlett said we drove that road yesterday and it looks like a good opportunity for cooperation and partnership. I wonder where in this partnership the developers participate. Vietz said they would participate as the project progresses. Howlett said I raise the issue because there stands to be significant gain for the developers. Public money is involved. There is an opportunity for developers to participate since they stand to gain.

Joe McClure, director for big sky economic dev authority, also rep the dev coop. 80 of the larger business in the greater billings and Yellowstone county area (chk). Our mission is business recruitment, business retention and business financing. Our business members asked us to take a proactive approach towards Shiloh road. We've hired a consultant, _____ from Engineering Inc. to keep track of issues and also to see what can be done to speed it up. Key from a transportation perspective. More important opportunity in our region for economic development. Several commercial developers are waiting in the wings, waiting for the infrastructure to be put into place. We may lose them. Recognized the state, city and county for their diligence. Support the roundabouts for the intersections as being safer and

providing better access points. Asked director Lynch to take a proactive approach to see that this project be completed in the next couple of years. Asked key property owners to come up and speak, offer their ideas for streamlining the process. A public-private partnership is probably the way to go.

Charlie Yeggen, fourth generation property owner in the area impacted by the Shiloh road development. From my standpoint, I appreciate working with Bruce Barrett and engineering inc. This will have a significant impact on the west end of Billings and stands to rival what's happening on Central Avenue. Time for things to get shaken up. Understand sensitivity of decisions not being made prior to the release of the EA. Property owners are finding themselves becoming developers without any choice in the matter. Public-private partnership. People are very engaged in what's going on and are ready to put their oar in the water. Hoping for completion in the construction season of 2010. More than willing to lend our shoulder and help bear the load (chk).

Rod Shafer, Billings Clinic

Thanked Bruce Barrett and engineering inc. Project is rather complex and want to know if there's anything we can do to streamline. Significant plans to expand medical services to the community. Right-of-way acquisition ...

Collective rather than individual. Streamline the time frame. Property values in and along corridor are relatively stable. Offering that as a suggestion. Kennedy asked how many properties that would represent. Shafer said six rather large property owners.

Yellowstone County Commissioner Jim Reno said the Beartooth highway demonstrated that if you give trust and empowerment, things can happen. Compared to the Beartooth, Shiloh approaches that level of importance to us. Fast track. Professionals modify the rules to allow good people to do good work. Relative to maintenance, we will figure that out. Don't let that issue slow the project down.

David Irons, St. Vincent and The Sisters of Charity healthcare. Over 3000 employees, one of the largest private employers in the state. We own 120 acres on Shiloh road. We don't know what healthcare will look like in the future and wanted to be well positioned to take care of our customers. I know people have worked hard on this, but I encourage whatever rulemaking is necessary to fast track the project. Be sure to include Ron! Congratulations on the project up on the hill. Facilitate the most expeditious development of this Yellowstone valley project.

Sterling Star, member of the Big Sky Development Authority board, said the Shiloh road project is extremely important and very urgent to the area to get on with economic development waiting in the wings. Can't afford to lose any time. An extremely complicated project with many facets. Going to take concentrated organization and attention to keep it moving forward. The Beartooth highway project is a great example of what can be done when special attention is applied to things that appear to be emergencies with economic impacts. Shiloh road fits in that category. Keep us on schedule or accelerate the schedule.

Tom from Senator Burns office

Tome said I want to talk about Shiloh road from a future funding perspective. In congress, funding comes up every 6 years. In between, the funding comes up in the appropriations committee. When projects are stalled, it makes it difficult for us to go to those appropriators and ask for more money. We get a lot of questions about projects that are moving slowly. It's important to move this forward. Understand there are NEPA processes involved.

John brewer, president billings area chamber of commerce
Shiloh road is one of our top priorities. Ron Moore is point person.\

Rick Luther, president of engineering inc.

Aware of....Shiloh road is seeing extremely vehicular pressure. It is time for an upgrade. We like the idea of roundabouts. As far as rules being modified, we have a set of rules that we have to go by. MDT and Bruce Barrett have been very good to ...some of the ideas thrown out as far as right-of-way acquisition. 160 parcels of right-of-way. 6 owners probably control 80 percent of the land. We are ready to move forward. The EA process is underway. As director lynch said, there is a lot of dialogue that needs to take place. Complex process. Ready to move forward to expedite this.

Kennedy asked director lynch to speak to the issue. Moving things forward and economic development are certainly part of Gov Schweitzer's agenda. He is aware of Shiloh road. We have talked and he has a few ideas.

Lynch said I'm very encouraged at what was said here today. Communication and working together are common themes. Lack of communication and lack of working together can slow a project down quicker than anything else. Involves property owners, developers, communities that will be affected, fed highway admin, county leaders, city council, MDT, EPA, ___, and federal delegation. Don't want to appropriate money for a project that's years away when that money could be spent on a project that's ready.

We have a very unique responsibility in that we are the overseers of the taxpayer dollars. We have to make sure we spend those dollars as wisely as possible. skipping processes can have dire consequences, witness Forestvale interchange in Lewis and Clark county. We have been able to put oversight meetings together that gathers all the players together. This facilitates communication and accountability so each entity realizes how their actions affect the process. E.g. right-of-way for the south Helena interchange was donated and that still took 9 months to work it through the system. There are some real time savings potential for Shiloh road from the estimate of 18 months. I would like to recommend that we do with Shiloh road what we've done with the Belgrade interchange and south Helena interchange, which is to hold meetings with all the participants to clarify roles and time tables.

What we learned with Belgrade is we need to recognize the importance of timetables...if any one party doesn't live up to the timetable, it can affect the project. Not circumventing any environmental procedures, federal procedure or any local ordinance. There are several days and several weeks to be saved. Communities need to participate in the process and respond

to correspondence and requests in a timely fashion to help expedite the process. Sometimes we need to use 24 hours in a day, and seven days in a week to accomplish that.

This is an exciting project and MDT staff are ready and willing to help. The community has a tremendous role to play. Lynch said the Beartooth was an emergency project and the rules are different in that situation. We did learn from the experience and are incorporating lessons from that project into our operations. Trust is very important. One of our biggest problems is in the area of right-of-way. Everyone has a different idea of what their property is worth. => Lynch said he will call that meeting together.

Frazier said I heard people mentioning rules. The environmental process we follow is based on the law: the National Environmental Policy Act. It's an information-gathering process that ... if we don't follow that process, we don't get the federal money that goes with it. Part of that process is to identify a project scope. We can't start design until the scope has been determined. To begin design before the scope has been identified is called pre-determination and is strictly forbidden. The process is intended to be somewhat slow in order to allow people time to participate.

Brown said the process itself is a sound process. It is slow, but not unnecessarily slow. What slows it down is lack of decisions, changing direction, not having the information needed. Every time something is changed, it has to be analyzed, which takes additional time. In following the process, we won't get into the problems that come from not following the process. The issue is not the process but controlling the process.

Howlett said I want to be as supportive as I can of this project. I think it's a great thing for everyone to be on the same page. I appreciate that Lynch will call the meeting. I hope that a timetable will result that is more streamlined than originally anticipated. We hold the public trust and it's important that we put all the pieces on the table and consider them in ...the public trust. Figure out how to do the partnership that are so important.

Kennedy said we have point persons in Ron, Ostlund, Shutz, Get the initial meeting set up. Appreciate those of you who've taken the time to come here today to let us know of your position. It's very valuable.

Communication with local government

John Doyle , Big horn county commission

Coal bed methane impacting local roads count went from 67 to 800 vehicles a day, many of which are heavy rigs. Road is not on the state highway system, but the impacts will trickle over. Affecting big horn county, rosebud and powder river. No gravel in the roads, and they turn to powder, which creates a tremendous dust issue for area residents and their cattle. Letter from area rancher said his cattle are choking to death. The developers have contributed some but it's a very small amount compared to what's needed. We are looking at drafting legislation to address these issues. We need your support and direction. The governor is talking about development in otter creek, and this is the back road to otter creek,

it's also known as the otter creek road. Our issues are the local services. Wyoming said we don't know what we're in for with this development. We want to make you aware of this.

Currie said there is a coal service tax that never seems to get directed back. Has there been any discussion with the coal board. John – we were told that this doesn'tthey prefer not to deal with this. The coal bed methane doesn't stay in one place, it keeps moving east. It's a little different situation from the coal board.

Griffith said I think this is something we should look at from a department perspective, because of the impacts to so much of eastern Montana.

Currie said I've seen several attempts over the years to tap the coal tax trust fund. Requires a super majority vote. Have never seen it happen. A lot of money sitting there for a rainy day and it's a rainy day for you.

John – royalties have enabled us to do what we've done. We've asked senator burns to sit in on that meeting. Federal government gets ___ percent of the royalties. That taxes are a whole 'nother issue. We received 12 percent last time and expect to receive 25 percent next time.

Espy said I comment you for working with the companies doing the development and soliciting their support early on. Some of the other counties have waited until the road deteriorated before taking action.

John said Fidelity has been excellent to work with. They've always stepped up to the plate.

Pinnacle is a new developer and they have been good too.

Crow tribe has been working to get a new lagoon in place. Rest stop will be able to use that lagoon so they won't have to build a standalone ... we are putting together funding. Looking to the highway commission to assist us with that. Kennedy said we will refer these matters back to director lynch and request he provide us with information and updates.

Commissioner john Prinkki

Thanked the commission for coming to red lodge. Highway 421 timetable. We are Concerned about inflation costs delaying projects. My constituents are very concerned about ----- and belfry north and south. Would appreciate an update over lunch so I can let you know. Lynch said we can get all that information to commissioner Prinkki. Best guess as to when those projects will go. Lynch said

Lynch acknowledged commissioner Prinkki's role in the Beartooth repairs.

Mayor Kent Olsen, mayor of laurel

8th avenue Project in laurel. We cant' keep ahead of the price increase for the different materials. We had an increase in our urban allocation which helped. We can't catch up to the 5-year curve to allow us to fund this project. t

Currie asked ...local bonding program. That is being diligently worked on but I don't have a date. Lynch said I think the wording has been finalized from our end. The document is now back in the hands of the cities and Alex Hanson (ck). We want the bonds to be insured which protects the state and local government but someone isn't happy...

Kennedy said the bonding process may be the element that finally gets this project off the ground.

Lynch said 87 percent of our funding comes from the federal government. Utah's program is 23 percent federally funded. They use a lot of other resources, including private. we have very little private investment into our highway system, and we have tremendous needs.

We want to make sure we don't get caught down the road.

Maureen Daly, Stillwater county

On secondary 421, which affects Stillwater and Carbon Counties. We have been patient and will continue to be patient. There are four rectangles in the road about to give out. We know Shiloh road is important but please don't forget about us.

Construction is going well. Wickes is working well with the community and with us. We appreciate the coordinated efforts between the state and our congressional delegation.

Thanked burns for earmark to finance the first phase.

Dust problem going to federal lands and to our fishing accesses. Our residents in these dry years face the impacts of the recreational use.

Noxious weeds.leafy spurge

Last month, our road superintendent of 11 years decided to move on.

Kennedy said lynch and Currie will be at the Montana Association of Counties annual meeting in September to talk about funding.

Representative Joan Anderson

I represent most of carbon county. I get a lot of inquiries about Rockvale to Laurel.

Updated website and meeting anticipated for Winter 2006. people were under the impression that the preferred route would be announced several years ago. Barrett said it will be announced at the public meeting this winter. Lynch said I will work with Bruce and we will come up with a more defined date.

I'm here representing mayor Brian road. Police chief

Intersection of two-mile creek road and highway 212 right hand turn lane about 2 miles north of red lodge. Speed limit is 70 mph and traffic has to come to an almost stop for vehicles making a right turn northbound. Lynch said he would take that request back to MDT's traffic safety office.

Senator Conrad burns

Denise Smith reminded everyone it is an election year. Timeline for transportation bill for appropriations for 07 is probably sometime after January 1. Burns is senior member of appropriations committee. After that we'll take requests for 08.

Don Slavens, senator Baucus

Representing Kristina Davis. Listen to concerns and see how we can be of help. Lynch said we need another 300 million.

Stacy was here from congressman Rehberg's office but had to leave to get back to billings.

Delegation: HKM engineering

Karen Fagg from HKM engineering said we are here to talk about a great success: the Beartooth highway emergency repair project. MDT took the lead on the project and there were many other participants, including (see handout).

The main component to success is communication and cooperation. The Beartooth highway repair project is the epitome of . recognizing excellence in engineering, excellence in construction, excellence in communication and cooperation. This project, going from a

JTL

Proposal within 10 days

Decision to go with design-build

Only one team submitted a response: Kiewitt Western/JTL Group/HKM Engineering, and Shannon & Wilson

June 16 construction started, finished a mere four months later.

Director Lynch, Governor Schweitzer, the transportation commission, federal highways...everyone committed to getting it done.

National ACEC award

Fagg introduced John Shoff is a senior project manager with HKM.. my partner and a shareholder. Had John not committed to taking the lead, HKM would not have taken this project on. He is the finest engineer and individual... hard working, understands both the technical and human side of decisions.

John Shoff spoke of the personal commitment of MDT staff, for example, the district 5 hydraulics engineer,

David Leitheiser, would travel on-site as requested. Stefan Streeter and the district staff. We realize they had other projects and other staff had to take on additional work to compensate.

Finished the project ahead of schedule and under budget which we're quite proud of. We picked up an award for the department in Washington DC on behalf of the department.

Bruce was recently awarded the distinguished engineer award...

The Beartooth has been a recipient of a number of awards including

- billings engineers club – project of the year

- Montana contractors association – innovate project of the year
- Institute of transportation engineers – intermountain section project of the year award
- American council of engineering companies – Washington state gold award for complexity
- American public works association – national project of the year emergency repair category
- Northern region USFS 2—6 regional forester’s honor award – gridlock breaking
- American council of engineering companies – engineering excellence awards – national honor award (one of the top 24 projects in the nation!)

Fagg presented an award to Lynch from ACEC and framed display with project participants and photos to director Lynch and the district

Kennedy said this is one of the reasons we are here today, so that we can recognize the accomplishment.

Barrett acknowledged Stefan Streeter, project managers and construction employees who lost their entire summer last year working long days and weekend, along with HKM, JTL and several hundred others. They are the ones who deserve this.

Lynch emphasized the importance of trust. We’ve lost that on a lot of our construction projects. An entity that played a very important role was the media. We were very successful in communicating with the members of this community through the media. Accurately. My particular appreciation to the Billings gazette for their factual portrayal of the project.

Lynch appreciates the companies who participated, especially considering the timing and complexity of the project.

Fagg said we can’t say enough good about the district staff. We love and use the governor’s quote that HKM is the best damn engineering firm in the world.

Brown offered a heads-up that the Beartooth highway will be showcased in an upcoming issue of public roads magazine.

Agenda item 7: Delegation requesting special road name change

Steve Ewing and his sister, Connie O’Connor, on the 50th anniversary of the interstate system, requested a portion be named after their father, Robert E. Ewing.

On this the 50th anniversary of the Interstate Highway System, the Ewing family has assembled here to put forward a request to have a piece of highway named after Robert E. Ewing Jr. Robert Ewing known to everyone as Bob, was an exceptional individual who dedicated his entire life’s work to building the highway system in

Montana. Bob worked for the Montana Highway Department for nearly 50 years. He was a man of great personal and professional integrity. He was a man I was proud to call my father and my friend.

During the summer of 1947 the Department was building a piece of road in the Big Horn valley. Bob was introduced to the Department when Dick Larson knocked on the door and asked him to go to work. On June 3rd, 1947 Bob was hired by the Montana Highway Department. He began working as a Gravel Inspector, by August of 1947 he had been promoted to Chainman. In 1950 Bob was promoted to Rodman and by 1952 he had been promoted to Instrument Man. He became an Acting Project Engineer in 1955 and was promoted to Project Engineer in 1956.

Initial project assignments were modest in size and included turning two-wheel track roads into graveled grades. Project assignments grew in size and complexity over time. Eventually Bob was responsible for multi-million dollar interstate construction projects.

Bob was the “Resident Engineer” on two inter-state highway projects that won construction awards. His project on Interstate 94 Huntley – Ballantine east of Billings was awarded third place in 1970. His project on Interstate 90 Columbus – Park City was awarded first place in 1971.

Bob and his crew performed the location and field survey work on a section of US 212 near Lame Deer in 1975 that won 3rd place in the category “Outstanding Section of New Highway in its Rural Environment in FHWA’s annual awards competition. There were 379 entries from 45 states in the contest. He received a letter of congratulations for his contributions to that project.

In 1976 Bob accepted the position as a “Statewide Construction Reviewer.” As a Construction Reviewer his ability to influence the quality of highway construction was expanded. He was able to assist with behind the scene improvements though his ability to discern potential and real construction problems, he was diligence in seeking solutions, and was always willing to share both his knowledge and experience. He developed many of the manuals used today by the field inspectors. He enjoyed his work and was well regarded by his supervisors, his fellow workers, and by the contractors.

Bob retired in 1990 but continued to work for the MDT on a part time basis. He continued on a part time basis until the final challenge in his life overtook him. He passed away on February 25th 1997 after a struggle with lung cancer.

Bobs accomplishments are impressive enough that most engineers would consider his career a success. His accomplishments are, I believe, even more impressive when you consider that Bob came from humble beginnings. The son of a homestead farmer in the

Bighorn Valley. He rose thru the ranks of the Highway department without the benefit of a college education. His lack of formal education was more than offset by his love of his craft, his willingness to go the extra mile to make sure the job was done right, a work ethic second to none, and a lifetime of dedication to the DOT and the State of Montana.

Bob was a dedicated family man. He was a loving husband and a caring father. He married our mother on September 3rd, 1950. A marriage that lasted 47 years through the good times and some that were challenging. Bob had a wide variety of project assignments that took him many places across Montana. He believed it was important to have his family with him. He moved his family 37 times though out his nearly 50 years with the Department. Bob had four children, arguably with a little help from our mother. All of his children graduated from college, an accomplishment that both my mother and father can take a full measure of credit for encouraging. Bobs children grew up in home where giving up was not an option, failing was not an option, and doing anything less than you were able to was not an option. Bob cared for and supported his mother after his father had passed away. Bob offered to raise his brothers three children after his brother's untimely death.

Bob was not a flashy guy. Truth to be known, I believe he would be more than a little uncomfortable with all of the attention that is being paid to his career and life here today. Bob was a man who deserves to be honored for all of the reasons presented here today and for countless others that will go unmentioned. Bob Ewing was as fine an example of a public servant as anyone will ever find. Bob Ewing was as fine an example of a Montanan as anyone will ever find. This committee has the opportunity to honor one of its own. I respectfully submit to this committee the name of Robert E. Ewing Jr. for consideration to have a section of Montana highway named after him. No greater honor could be offered to a man so dedicated to building the highway system in Montana. We suggest the section of I-90 Columbus – Park City for which the Montana Highway Commission awarded him 1st place in 1971.

I would like to close our presentation this morning by thanking the members of this committee for granting us an opportunity to come before this committee and present this request. Good Day and God Bless.

Kennedy asked how to accomplish this, whether by legislation or commission resolution. Reardon said either, however, by legislation and subsequent incorporation into statute, garners more publicity and recognition. Kennedy asked if we could do both. Reardon said yes.

Kennedy honored Mrs. Ewing for surviving 37 moves.

Lynch said MDT supports this and would be happy to advance legislation toward that end.

Currie said bob Ewing is one of those legendary names in MDT.

Commissioner Kennedy said this commission would give their stamp of approval today, but asked for a written resolution to be prepared for the commission's signature. That resolution will also be advanced to the legislature.

Connie O'Connor said Frank Smith has offered to carry that legislation. Currie recognized the length of travel the family made for this. O'Connor, from the northeastern part of the state, acknowledged her brother traveling from Reno, Nevada, and a sister from Seattle Washington.

Commissioner Howlett moved to accept staff recommendations to grant the request of the family to designate a piece of highway as the *Robert E. Ewing, Jr. memorial highway* by resolution; Commissioner Espy seconded the motion. The motion passed unanimously.

Kennedy thanked the family for traveling to make this presentation today. Lynch acknowledged Connie as a former MDT employee, known for being very good at her job as an auditor.

Agenda item 13: Public comment

No public comment

Agenda item 14: Set commission schedule for upcoming meetings

July 31, 2006 conference call

August 2-3, 2006 meeting in Anaconda

Griffith said we will do a tour on the afternoon of August 2, after which you will proceed to Georgetown Lake and partake in one of my chef's experiences. Meeting will start at 8:30am at the community center; accommodations are at the Marcus Daly hotel.

Howlett asked the department to bring back the rules and other things related to memorials on the interstate system. I've traveled extensively in other states and

Respect for those that lost their lives on interstate highways, opportunity

Choosing Anaconda because that's very personal to me. My son died on ____ (MT 78? Or mile marker) near Anaconda. Our memorial was dug up and we found it in the ditch.

Lynch apologized for that. Howlett said it happened in 1999. Lynch said some people don't like the idea of crosses on our highways. Enacted by the commission in the 1950s.